

REMARKS

Claims 1-5, 12-15 and 21-25 are pending in the application. Applicant's amendments to claims 1, 4 and 15 are supported at least at pages 7, 1-4, and 10, respectively. All amendments are made without prejudice or disclaimer. No new matter is added. Entry of the Amendment is respectfully requested.

I. Priority

Applicant thanks the Examiner for acknowledgement of Applicant's priority date.

II. Claim 22 is Proper

At page 3 of the Office Action dated July 7, 2007, the Office objects to claim 22 as grammatically incorrect.

Solely to advance prosecution, Applicant herewith amends claim 22 and overcomes the rejection. Withdrawal of the objection is therefore kindly requested.

III. Claims 1-5 are Patentable Under 35 U.S.C. § 101

At page 4 of the Office Action, the Office rejects claims 1-5 under 35 U.S.C. § 101 alleging that the claimed invention is directed to non-statutory subject matter.

Solely to advance prosecution, Applicant amends claim 1 to recite an "isolated protein." Applicant's amendment overcomes the rejection. Withdrawal of the rejection is therefore kindly requested.

IV. Claims 4 and 15 are Definite Under 35 U.S.C. §112, Second Paragraph

At page 4 of the Office Action, the Office rejects claims 4 and 15 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite.

Solely to advance prosecution, Applicant herewith amends Claims 4 and 15. Applicant's amendments overcome the rejection. Withdrawal of the indefiniteness rejection is therefore kindly requested.

V. Claims 1-5, 12-13, 15 and 21-25 Are Enabled Under 35 U.S.C. §112, First Paragraph

At page 6 of the Office Action, the Office rejects claims 1-5, 12-13, 15 and 21-25 under 35 U.S.C. §112, first paragraph, as allegedly lacking enablement.

Applicant herewith amends claim 1 to recite "an isolated protein comprising: a) the 4- α -helix bundle motif formed from the α -helices of the ROP (repressor of primer) of SEQ ID NO:11 and b) a redox centre." Applicant's amendment overcomes the lack of enablement rejection. Accordingly, withdrawal of the rejection is requested.

VI. Claims 1-5, 12-13, 15 and 21-25 are Novel Under 35 U.S.C. §102(b)

At page 7 of the Office Action, the Office rejects claims 1-5, 12-13, 15 and 21-25 under 35 U.S.C. §102(b) as allegedly being anticipated by Gilardi *et al.*

To advance prosecution, Applicant herewith amends claim 1. Applicant's amendment overcomes the rejection, particularly in view of the Examiner's statement that Applicant's ROP comprising SEQ ID NO:11 is novel. Office Action, page 8. Withdrawal of the rejection is therefore kindly requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/537,612

Attorney Docket No.: Q88296

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



William J. Simmons, Ph.D.
Registration No. 59,887

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 1, 2007